



General Assembly

**Amendment**

January Session, 2009

LCO No. 7293

**\*SB0077207293SD0\***

Offered by:

SEN. SLOSSBERG, 14<sup>th</sup> Dist.

REP. SPALLONE, 36<sup>th</sup> Dist.

To: Subst. Senate Bill No. 772

File No. 188

Cal. No. 189

**"AN ACT CONCERNING THE POSTING OF PUBLIC AGENCY  
MINUTES UNDER THE FREEDOM OF INFORMATION ACT."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 1-225 of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective from passage*):

5 (a) The meetings of all public agencies, except executive sessions, as  
6 defined in subdivision (6) of section 1-200, shall be open to the public.  
7 The votes of each member of any such public agency upon any issue  
8 before such public agency shall be reduced to writing and made  
9 available for public inspection within forty-eight hours and shall also  
10 be recorded in the minutes of the session at which taken. Within seven  
11 days of the session to which such minutes refer, such minutes shall be  
12 available for public inspection and, within fourteen days of such  
13 session, posted on such public agency's Internet web site, if available.  
14 Such web site posting requirement shall not be deemed to apply to any

15 public agency of a municipality with a population of ten thousand or  
16 fewer residents. Notwithstanding the provisions of this subsection, no  
17 public agency of any municipality shall be deemed to be in violation of  
18 this chapter for the failure to post minutes of such agency's sessions on  
19 the Internet web site of such public agency within fourteen days of the  
20 session to which such minutes refer, (1) for the period beginning  
21 October 1, 2008, and ending December 31, 2009, if such public agency  
22 files a notice with the town clerk of the applicable municipality  
23 indicating the reason for such failure, and (2) for the period beginning  
24 January 1, 2010, and ending January 1, 2011, following a vote of the  
25 applicable legislative body of such municipality, if such public agency  
26 files a notice with the commission describing the hardship that  
27 prevents such public agency from complying with such requirement.  
28 In any municipality with a town meeting form of government, such  
29 vote may be made by the board of selectmen in lieu of a town meeting.  
30 For informational purposes only, a copy of any notice filed with a  
31 town clerk pursuant to this subsection shall be filed with the  
32 commission. Nothing in this subsection shall be construed to require  
33 any action by the commission on any such notice filed with the  
34 commission. The commission may dismiss any complaint concerning  
35 the failure to post such minutes on a public agency's web site,  
36 provided such complaint was filed with the commission prior to the  
37 effective date of this section. Each [such] public agency shall make,  
38 keep and maintain a record of the proceedings of its meetings.

39 (b) Each such public agency of the state shall file not later than  
40 January thirty-first of each year in the office of the Secretary of the  
41 State the schedule of the regular meetings of such public agency for the  
42 ensuing year and shall post such schedule on such public agency's  
43 Internet web site, if available, except that such requirements shall not  
44 apply to the General Assembly, either house thereof or to any  
45 committee thereof. Any other provision of the Freedom of Information  
46 Act notwithstanding, the General Assembly at the commencement of  
47 each regular session in the odd-numbered years, shall adopt, as part of  
48 its joint rules, rules to provide notice to the public of its regular,

49 special, emergency or interim committee meetings. The chairperson or  
50 secretary of any such public agency of any political subdivision of the  
51 state shall file, not later than January thirty-first of each year, with the  
52 clerk of such subdivision the schedule of regular meetings of such  
53 public agency for the ensuing year, and no such meeting of any such  
54 public agency shall be held sooner than thirty days after such schedule  
55 has been filed. The chief executive officer of any multitown district or  
56 agency shall file, not later than January thirty-first of each year, with  
57 the clerk of each municipal member of such district or agency, the  
58 schedule of regular meetings of such public agency for the ensuing  
59 year, and no such meeting of any such public agency shall be held  
60 sooner than thirty days after such schedule has been filed.

61 (c) The agenda of the regular meetings of every public agency,  
62 except for the General Assembly, shall be available to the public and  
63 shall be filed, not less than twenty-four hours before the meetings to  
64 which they refer, (1) in such agency's regular office or place of  
65 business, and (2) in the office of the Secretary of the State for any such  
66 public agency of the state, in the office of the clerk of such subdivision  
67 for any public agency of a political subdivision of the state or in the  
68 office of the clerk of each municipal member of any multitown district  
69 or agency. For any such public agency of the state, such agenda shall  
70 be posted on the public agency's and the Secretary of the State's web  
71 sites. Upon the affirmative vote of two-thirds of the members of a  
72 public agency present and voting, any subsequent business not  
73 included in such filed agendas may be considered and acted upon at  
74 such meetings.

75 (d) Notice of each special meeting of every public agency, except for  
76 the General Assembly, either house thereof or any committee thereof,  
77 shall be posted not less than twenty-four hours before the meeting to  
78 which such notice refers on the public agency's Internet web site, if  
79 available, and given not less than twenty-four hours prior to the time  
80 of such meeting by filing a notice of the time and place thereof in the  
81 office of the Secretary of the State for any such public agency of the  
82 state, in the office of the clerk of such subdivision for any public

83 agency of a political subdivision of the state and in the office of the  
84 clerk of each municipal member for any multitown district or agency.  
85 The secretary or clerk shall cause any notice received under this section  
86 to be posted in his office. Such notice shall be given not less than  
87 twenty-four hours prior to the time of the special meeting; provided, in  
88 case of emergency, except for the General Assembly, either house  
89 thereof or any committee thereof, any such special meeting may be  
90 held without complying with the foregoing requirement for the filing  
91 of notice but a copy of the minutes of every such emergency special  
92 meeting adequately setting forth the nature of the emergency and the  
93 proceedings occurring at such meeting shall be filed with the Secretary  
94 of the State, the clerk of such political subdivision, or the clerk of each  
95 municipal member of such multitown district or agency, as the case  
96 may be, not later than seventy-two hours following the holding of such  
97 meeting. The notice shall specify the time and place of the special  
98 meeting and the business to be transacted. No other business shall be  
99 considered at such meetings by such public agency. In addition, such  
100 written notice shall be delivered to the usual place of abode of each  
101 member of the public agency so that the same is received prior to such  
102 special meeting. The requirement of delivery of such written notice  
103 may be dispensed with as to any member who at or prior to the time  
104 the meeting convenes files with the clerk or secretary of the public  
105 agency a written waiver of delivery of such notice. Such waiver may be  
106 given by telegram. The requirement of delivery of such written notice  
107 may also be dispensed with as to any member who is actually present  
108 at the meeting at the time it convenes. Nothing in this section shall be  
109 construed to prohibit any agency from adopting more stringent notice  
110 requirements.

111 (e) No member of the public shall be required, as a condition to  
112 attendance at a meeting of any such body, to register the member's  
113 name, or furnish other information, or complete a questionnaire or  
114 otherwise fulfill any condition precedent to the member's attendance.

115 (f) A public agency may hold an executive session, as defined in  
116 subdivision (6) of section 1-200, upon an affirmative vote of two-thirds

117 of the members of such body present and voting, taken at a public  
118 meeting and stating the reasons for such executive session, as defined  
119 in section 1-200.

120 (g) In determining the time within which or by when a notice,  
121 agenda, record of votes or minutes of a special meeting or an  
122 emergency special meeting are required to be filed under this section,  
123 Saturdays, Sundays, legal holidays and any day on which the office of  
124 the agency, the Secretary of the State or the clerk of the applicable  
125 political subdivision or the clerk of each municipal member of any  
126 multitown district or agency, as the case may be, is closed, shall be  
127 excluded.

128 Sec. 2. Section 1-2 of the general statutes is repealed and the  
129 following is substituted in lieu thereof (*Effective October 1, 2009*):

130 Each provision of the general statutes, the special acts or the charter  
131 of any town, city or borough which requires the insertion of an  
132 advertisement of a legal notice in a daily newspaper shall be construed  
133 to permit such advertisement to be inserted in a daily or weekly  
134 newspaper; but this section shall not be construed to reduce or  
135 otherwise affect the time required by law for giving such notice. For  
136 any requirement for the insertion of an advertisement of a legal notice  
137 by a town, city or borough, the legal notice may be posted in a  
138 conspicuous place on the town's, city's or borough's web site in lieu of  
139 insertion of such advertisement in a daily or weekly newspaper. Any  
140 such legal notice posted on a town's, city's or borough's web site shall  
141 indicate the date such notice is first posted on such web site. Whenever  
142 notice of any action or other proceeding is required to be given by  
143 publication in a newspaper, either by statute or order of court, the  
144 newspaper selected for that purpose, unless otherwise expressly  
145 prescribed, shall be one having a substantial circulation in the town in  
146 which at least one of the parties, for whose benefit such notice is given,  
147 resides."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	1-225
Sec. 2	<i>October 1, 2009</i>	1-2